

STATE PERSONNEL BOARD

ADDENDUM to the INITIAL STATEMENT OF REASONS

§ 52.4. Requirements and Method of Delivery for Filing Appeals and Complaints with the Board.

The proposed regulation clarifies the method and requirements for filing an appeal with the Board when corrective action is ordered to void an unlawful appointment and/or requiring reimbursement.

The proposed regulation as written is consistent with proposed section 243.6, subdivision (a), which grants both the appointing power and/or the employee the right to file a written appeal with the Board when corrective action is ordered to void an unlawful appointment. Section 51.2, subdivision (g) defines “Appellant” as the person or organization filing any appeal with the State Personnel Board.” As such, it is unnecessary to further amend section 52.4 subdivision, (e)(1)(Q), to also include “appointing power” because the definition of “Appellant” includes organizations (i.e. appointing power) electing to file an appeal and the same notification requirements and the subsequent 30-day appeal filing period would apply.